

Attorney Docket 4430-18

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Supp. Response
S. Buyer
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Andrew D. Barofsky & Kenton W. Gregory

Serial No.: 08/797,770

Art Unit: 3738

Filed: February 7, 1997

Examiner: Paul Prebilio

For: METHOD FOR USING TROPOELASTIN AND FOR PRODUCING
TROPOELASTIN BIOMATERIALS

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**SUPPLEMENTAL AMENDMENT AND DECLARATION
HAND DELIVERED TO EXAMINER PREBILIC**

An amendment was sent to Examiner Prebilio on February 26, 2001 with respect
to the Office Action dated August 25, 2000, Paper Number 22.

Respectfully submitted,

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Assistant Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL AMENDMENT

This Supplemental Amendment is filed with respect to the Office Action dated August 25, 2000, Paper Number 22.

REMARKS

This application is a continuation-in-part of U.S. Serial No. 08/341,881, filed November 15, 1994, now U.S. Patent No. 5,989,244 ("USSN '881"), and is a continuation-in-part of USSN 08/658,855 filed on May 31, 1996, now U.S. Patent No. 5,990,379 ("USSN '855"). USSN '881 and USSN '855 are the corresponding U.S. patent applications upon which the Gregory et al (WO) reference is based, i.e., Gregory et al (WO), and contains substantially the disclosure of USSN '881 and USSN '855. The specification of the present application is based on, and claims priority from, disclosures relating to elastin in USSN '881 and USSN '855, both of which have filing dates prior to May 23, 1996. Therefore, Gregory et al (WO) cannot be an effective reference with respect to the above-referenced patent application under 35 U.S.C. 102 (a) or 103